

EXHIBITS

United States Courts
Southern District of Texas
FILED

MAY 16 2022

DEREK A. RICHARDSON

PLAINTIFF, PRO SE.

V.

ET AL'S

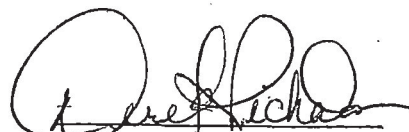
Nathan Ochsner, Clerk of Court

- 1) I-127 #2021119789
- 2) I-128 #2021119789
- 3) I-127 #2021067754 MISSING FROM PROPERTY
- 4) I-128 #2021067754 NEVER RETURNED REF# #2021101833/I-128
- 5) I-127 #2021016007 ~~STATEDEREDUNDANT~~
- 6) I-127 #2021016007 RETURNED UNANSWERED
- 7) I-127 #2020170922

ADDITIONAL I-127/28 HAVE BEEN REMOVED FROM MY PROPERTY WITHOUT MY CONSENT OF ADVANCE KNOWLEDGE BY T.D.C.J. STAFF.

- 8) OCT.-6-2021 OIG COMPLAINT OF MISTREATMENT AND ABUSE BY THE T.D.C.J. STAFF AND T.D.C.J. INMATES, NOT INVESTIGATED
 - 9) JUNE 5-2021 REQUESTED OBUDESMAN COMPLAINT INITIATED BY ATTORNEY R.N. VIRDEN ON MY BEHALF, INAPPROPRIATE MOLLICIOUS CONDUCT BY T.D. C.J. STAFF.
 - 10) 1-18-2021 REQUESTED CHARGES, NOT FILED, FOR ASSAULT W/BODILY INJURY TO PLAINTIFF ON THE RICHARD P. LEBLANC UNIT- TO BE FILED.
- I DEREK A. RICHARDSON, PLAINTIFF DO ATTEST THE EXHIBITS AND DOCUMENTS FILED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND INFORMATION GIVEN CORRECT.

EXECUTED THIS 10th DAY OF MAY 2022


DEREK A. RICHARDSON
PLAINTIFF PRO-SE



FILED
MAY 16 2022
Texas Department of Criminal Justice

Nathan Ochsen, Clerk of Court

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2021119789

Date Received: 06/08/21

Date Due: 07/08/21

Grievance Code: 400

Investigator ID #: F2828

Extension Date: 08/07/2021
JUL 21 2021

Date Retd to Offender:

Offender Name: Derek A. Richardson TDCJ # 1938366
Unit: Joe Ney Unit Housing Assignment: 3-53
Unit where incident occurred: Joe Ney

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Guise c/o When? 6-4-21

What was their response? That this matter would have to be grieved.

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

During the hearing for case number 20210187504, written on 5/21/21,
my due process rights were violated due to the fact that I was not afforded
the opportunity to present my witness. My witness under Statutory penalty
should have been allowed to come and present his own version of his
eyewitness account but was not. Furthermore the hearing officer was
leading the charging officer. The charging officer officer Brooks falsified
his version of what transpired and I was not able to refute this as
allocated in due process law.

Action Requested to resolve your Complaint. for Case number 20210187504 to be overturned due to violations of due process and Case law misconduct.

Offender Signature: Derek Richardson Date: 6-5-21

Grievance Response:

Disciplinary Case # 20210187504 has been reviewed. The disciplinary charges are appropriate for the offense and the guilty verdict was supported by a preponderance of the evidence. All due process requirements were satisfied, and the punishment imposed by the Disciplinary Hearing Officer was within agency guidelines. Your appeal is denied.

Kevin Belt, Senior Warden, Joe Ney Unit

Signature Authority: Kevin Belt Date: 7-20-21

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

DEC 07 2021



Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORMOffender Name: Richardson D.A. TDCJ # 1938366Unit: Joe New Housing Assignment: 3-53Unit where incident occurred: Joe New

OFFICE USE ONLY

Grievance #: 202119789UGI Recd Date: 7-26HQ Recd Date: JUL 29 2021Date Due: 8-25Grievance Code: 400Investigator ID#: 2846Extension Date: 9-24-2021

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

The hearing officer clearly denied me the ability to present a witness. This is supported on a recording that is kept and required by law. For me to be denied or afforded the opportunity to present a witness in court is in fact a violation of my right to due process. I ask for further review of Case # 20210187504. I am forwarding this information to my attorney also.

Offender Signature: Date: 7-22-21

Grievance Response:

Disciplinary case #20210187504 has been reviewed. There was sufficient evidence to support the finding of guilt, no due process or procedural errors were noted, the punishment imposed was within the established guidelines, and the elements of the charge were met. Therefore, there is no valid reason to warrant overturning this disciplinary case. No further action is warranted.

Signature Authority:

 J. RILEYDate: 11/2/2021Returned because: **Resubmit this form when corrections are made*

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.*
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments.*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1

OFFENDER GRIEVANCE FORM

Offender Name: Richardson TDCJ # 1938366
 Unit: Joe Ney Housing Assignment: B-53
 Unit where incident occurred: Joe Ney

OFFICE USE ONLY

Grievance #: 202101833
 Date Received: _____
 Date Due: _____
 Grievance Code: _____
 Investigator ID #: I2766
 Extension Date: _____
 Date Retd to Offender: _____

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Landis APR 27 2021 When? Sunday 4-26-21
 What was their response? that I would need to grieve the issue
 What action was taken? none

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I have had an issue with Showers that has been ongoing since I arrived at Joe Ney's unit. We filed grievances for various reasons. We had an attorney contact the Warden on two occasions requesting justification for "forcing" me to Shower in ad seg. Even though P.R.E.A. Act of 2003 only asks for T.D.C.J. to offer the "Opportunity" to Shower Separate leaving the opportunity to be at my discretion. The Warden Never responded unit warden Belt agreed in a prior grievance response that it was not a rule. However Mr Belt stated that I would be forced in his response. I am awaiting a Step 2 answer on that. My current grievance is that there are four T-gender inmates on this unit. I am being profiled because I am on hormone therapy and display the characteristic traits of a feminine Transgender. Because of that I and another are "forced" to Shower Separate. The other two are not and haven't been (inmate Jeremy Howard and Jerry Guerra) And they haven't been during this entire grievance with "forced" Showers. Joe Ney is aware of this because it is notated in the inmate Shower log book. I was told that Huntsville ordered that T-gender inmates be forced to Shower Separate. But Joe Ney has chosen to violate my State and Constitutional rights to profile me and Segregate me. This is the beginning Step toward justification. I wish to Shower at my own volition in general population Showers. This is

APR 27 2021
(OVER)

discrimination and will be revealed as such MAY 27 2021
ARR

CC1

Action Requested to resolve your Complaint.

For me to be treated fairly and equally and
afforded the opportunity to shower where I chose MAY 27 2021

Offender Signature: A. Dickson

Date: 4-26-21

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (1-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☒ 9. Redundant, Refer to grievance # 2021067754 @ step 2 currently
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature:

B. Thacker

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

Rachel Romo PM
RACHEL ROMO PM

1-127 Back (Revised 11-2010)

5-321

OFFICE USE ONLY BT

Initial Submission

UGI Initials:

Grievance #: 202101833

Screening Criteria Used: #09 #899

Date Recd from Offender: APR MAY 27 2021

Date Returned to Offender: APR MAY 27 2021

2nd Submission

UGI Initials:

Grievance #:

Screening Criteria Used:

Date Recd from Offender:

Date Returned to Offender:

3rd Submission

UGI Initials:

Grievance #:

Screening Criteria Used:

Date Recd from Offender:

Date Returned to Offender:



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 221016007
 Date Received: 10/07/2020
 Date Due: _____
 Grievance Code: 201
 Investigator ID #: FE
 Extension Date: _____
 Date Retd to Offender: _____

Offender Name: Derek A. Richardson TDCJ # 1938366
 Unit: Common Joe Ney Housing Assignment: 1-53
 Unit where incident occurred: Joe Ney

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Rosales When? 10-1-20

What was their response? That I would need to use the grievance process

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On Monday, September 28th Sgt Chang had me removed from my duties as a Janitorial Custodian in medical. I had a good working record and performed well. I was removed because I am Transgender and Mr Chang said I would manipulate the system to get medical passes. All of my medical passes were from a previous unit. They were taken, changed and returned written by the same medical staff. The same staff member who was unqualified to write the first one was allowed to write the second as long as items were omitted. This is the first time I've ever worked medical. I was locked down on my previous unit for COVID. All passes were written at the medical staff's own volition. There was no investigation, no one consulted my Transgender Dr. Dr Dozier. I was simply removed from my duties based on assumption and discrimination. It is not Security's job to treat, diagnose, or amend medical orders. This directly violates the Eighth amendment. By taking my job on this basis Sgt Chang violated P.R.E.A. and Constitutional Rights. Such violations can be considered a precursor to further retaliatory acts. I was also told by Mr. Chang that I was only using my transgender role to manipulate the system. I am clinically diagnosed with gender dysphoria. I have been on hormone therapy for years. I came to T.D.C.J. and this unit this way. Under the equal protection of the law act the section pertaining to homosexual rights denies such discrimination 733 F. Supp. at 231-32 (citing Powers v. Hardwick, 478 U.S. 186, 106 S. Ct. 2841 (1986)) Also see Texas, 539 U.S. 552, 577-78, 123 S. Ct. 2472 (2003) Also where a gay prisoner was fired from his job because of his sexual orientation. Doe v. Sparks, 733 F. Supp. 227, 231, 233-34 (W.D. Pa. 1990) the Powers vs Hardwick ruling changed the law. in (2003) OCT 07 2020

OCT 07 2020

Action Requested to resolve your Complaint.

For any retaliation or harrassmen to me
as transgender to stop.Offender Signature: [Signature]Date: 10-6-20

Grievance Response:

Signature Authority: _____ Date: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

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- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

JGI Printed Name/Signature: B. Thacker

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission: BT UGI Initials: BT

Grievance #: 2021016007

Screening Criteria Used: #2 299

Date Recd from Offender: OCT 07 2020

Date Returned to Offender: OCT 07 2020

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

Texas Department of Criminal Justice



STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2020170927

Date Received: 8-28-20

Date Due: 10-7-20

Grievance Code: 209

Investigator ID #: I2766

Extension Date:

Date Retd to Offender: SEP 25 2020

Offender Name: Derek Allen Richardson TDCJ # 1938366

Unit: Cotulla Housing Assignment: W-12-B

Unit where incident occurred: Cotulla HF B-1-53

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Major Morales (unit Major) When? 8-26 10:01 am

What was their response? He recommended that I be classified in safe keeping against my will

What action was taken? A request was filed to Huntsville for unit transfer against my will

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I have been recommended to safe keeping / unit transfer against my will. I do not desire to be housed in any form of segregation. My safety is not, nor has been jeopardized in any kind of way. I'm currently housed in administrative segregation pending safe keeping. I have been told I am too feminine. I've been told that my safety has been compromised due to my gender. I am a "Transgender" inmate who is clinically diagnosed with "gender dysphoria". It is against Texas State Law and a violation of T.D.C.J. Policy to restrict my housing based on my Sexual Orientation. Section 115.31 Employee Training states that the agency shall train all employees who have contact with inmates on a zero tolerance policy for inmate rights to be free from any form of sexual harassment. Section 42 U.S.C. 19812(a)(2)(M) Certifies that certain standards reference sexual harassment in order to combat what may be a precursor to sexual abuse. This includes demeaning comments to gender on pg. 21-22. To be recommended or even housed in safe keeping or any form of restrictive housing based on gender or sexual orientation is discrimination against me in its purest form. This is wrong and highly inappropriate. Especially in doing so against my will with no threat to my safety or well being. Security is not convenient. If you try to pass an inmate on because it is inconvenient that too is inappropriate. If this matter cannot be resolved through the appeals process I will file a formal lawsuit against T.D.C.J. for Discrimination, violation of State Law and or sexual harassment.

Action Requested to resolve your Complaint.

*For Classification to deny transfer and Safe Keeping.
For Classification to remain my Custody to Current Unit.*

Offender Signature: *Deke Richardson*

Date: *8-26-20*

Grievance Response:

Your claim has been investigated. Your recommendation for Safe Keeping was denied by State Classification and as of 9-10-20 you were transferred to the HF Unit. No further action is warranted from this office

J. Cirone, Asst. Warden

Signature Authority: *[Signature]*

Date: *8/25/20*

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

H-34B

Offender Name: Richardson David A TDCJ # 1437366
 Unit: LeBlanc Housing Assignment: H-34-B
 Unit where incident occurred: LeBlanc Unit

OFFICE USE ONLY

Grievance #: 2022054869
 Date Received: JAN 21 2022
 Date Due: 3-2-22
 Grievance Code: 000
 Investigator ID #: 2619
 Extension Date: _____
 Date Retd to Offender: JAN 25 2022

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Warden A. Tompkins When? 1-19-22

What was their response? That I would need to talk to OIG

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On Friday January the 14th I was assaulted by inmate: Henry Albert Barlow. I was sitting at my bunk when he began hitting me. He then left the dorm and told me he would be back to hit me. Mr. Barlow came back in and hit me some more. He knocked me down. This was witnessed by the officers. There were several witness statements filed by MPREA as well. I believe this to be a hate crime because I am a transgender. I want to press charges against Mr. Barlow with the Jefferson County Sheriff's Department. I wrote OIG twice Whittins and D-66 that had not received notice of been talked to. I want to press charges for aggravated assault. I wrote on D-66 on the 17th of Jan to the unit OIG Officer Rollins.

Action Requested to resolve your Complaint.

I want to press charges against Henry Albert Barlow for
 Assaulting me and causing bodily injury

Offender Signature: [Signature]Date: 1-20-22

Grievance Response:

An Inmate Protection Investigation was conducted on the date of the incident. You were then reviewed by the Unit Classification Committee and their decision was to grant a housing change. If you wish to contact the Office of the Inspector General you may do so in writing at O.I.G. Investigator- 3060 FM 3514, Beaumont, Texas 77705. No further action from this office is warranted.

Warden R. Chambers

Signature Authority: [Signature]Date: 1-25-22

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

to O.I.G. Beaumont TX.

To whom It may Concern

1-25-22

(7021 0350 0000 0690 5211) Sent By Certified Mail to:
O.I.G. Investigator @ 3060 FM. 3514, Beaumont, TX
77705

On Friday, January 14th I was assaulted By
offender Henry Albert Barlow # of the Richard P. LeBlanc
Unit. I am Derek A. Richardson, T.O.C.I. inmate
number: 1938366. I too am housed on the Richard
P. LeBlanc Unit. I am a Transgender inmate who
is diagnosed with Gender Dysphoria.

After Several advances from Offender Barlow
during the first two or three weeks he has
been placed in my dorm and Several attempts to
Ask him to leave me alone I enlisted the
help of another inmate. Mr Barlow told me if
I didnt like it I could go to the corner of the
dorm and Fight him. I asked an associate of Mr. Barlow
to tell him that if he wouldn't leave me alone
I'd be forced to report him to the Unit P.R.E.A. officer.
Because my informal resolutions wouldn't work.

Mr. Barlow then approached me with the other
offender, housed in H-22 bottom and Said "Now
tell me what you told him." As I did Mr.
Barlow began hitting me in the head and face
as I sat on my bunk. Mr. Barlow knocked me to
the floor in the process. I put my head down,
Blocking my face as he continued hitting me.
I tried to get up but Mr Barlow wouldn't

allow me. Eventually after I was able to get up I tried to go to the dayroom area so I could obtain the attention of the Staff officers. Mr Barlow tried blocking me and telling me to go to the Corner so he could further assault me out of view of officers. I was able to get past Mr. Barlow and enter the dayroom. However Mr Barlow charged ahead and exited the dorm because the door was not properly secured. He began telling officers he assaulted me and claimed justification due to the fact that according to him I grabbed him in an inappropriate manner. Mr Barlow was not detained. He then ran back into the dorm and hit me again knocking me over. I fell down and covered my face again as Mr Barlow was on top of me hitting me several more times. Eventually officers arrived and separated us. I believe Mr Barlow has a propensity to be violent and that he is dangerous. He was in another altercation where he caused bodily harm a week prior w/o getting caught. I want to press charges for Aggravated Assault w/ Bodily Injury. Further more I would like this to be treated with serious consideration as a hate crime against a Transgender. Because Mr Barlow didn't get his way he felt it appropriate to assault and injure an innocent victim. A PREA investigation conducted found his claims against me to be false. Thank you for your time and consideration regarding this matter.

Sincerely Yours,

A. V. A. Dickinson #1020

Robert N. Virden

To: Ombudsman
Subject: Derek A. Richardson #01938366

Ombudsman,

On 22 January 2022, I received a letter postmarked 19 January 2022 from inmate Richardson. His letter said:

"I have recently been transferred to the LeBlanc Unit... Joe Ney Unit shipped me and every transgender person of the unit after being inspected by ACLU and many complaints of indifference to the abuse of transpeople on various levels. (T)hey decided the unit was not suitable to house transgenders.

(O)n Friday, January 15th, I was assaulted by inmate (Henry Albert Barlow III)...

For some reason LeBlanc Unit (hasn't) filed charges.

After advances from (inmate) Barlow on various levels I told him I was uninterested and to leave me alone. He was housed in the bunk next to mine and I avoided him at all cost. Mr. Barlow continued trying to make small talk. I again thwarted his attempts by saying leave me alone. At that point he threatened me and stated he would fight me. A fellow inmate defused the situation...

Finally, Mr. Barlow made another advance on Friday, January 15th at around 11:30 a.m. I told him to leave me alone or I would report him to the PREA officer. At that point he assaulted me and began hitting me in the face and head as I sat on my bunk. I fell on the floor and tried to (shield) my face. Another inmate got him off of me. I went into the day area and tried to notify officers. Before I could get to the picket door Mr. Barlow charged the door and went first to the picket. He (told) the officer he had hit me because I (had) grabbed his crotch. He was not restrained at that time. Instead he ran into the dorm again and began punching me and knocking me to the ground. Finally the (officers) came and removed him. A formal investigation concluded that Mr. Barlow had fabricated his excuse for assaulting me...

(Too) many transpeople and elderly are being assaulted by violent offenders who have no respect or regard for others..."

I would appreciate your investigating this matter.

PS I am assisting this inmate on a pro bono publico basis. I have not agreed to represent him in any court (or other) proceeding. I am not a litigation attorney; I neither file lawsuits nor defend lawsuits.

Robert N. Virden
Robert N. Virden, P.C.
3419 Westminister Avenue
Dallas, Texas 75205-1387
Office 214/373-7161
Mobile 214/537-2228
Facsimile 214/373-7161

Board Certified, Estate Planning and Probate, Texas Board of Legal Specialization
Fellow, American College of Trust and Estate Counsel



**Texas Department of Criminal Justice
OFFICE OF THE INSPECTOR GENERAL
P.O. Box 4003, Huntsville, Texas 77342**

To: Warden Gonzales Date: October 6, 2020
 Unit/Department: Ney Unit Correspondence/Complainant #: 2000011998
 Subject: Richardson, Derek TDCJ #: 1938366

The correspondence forwarded to the Office of the Inspector General has been read and evaluated by OIG staff. Based on the information provided, the relevant issues stated will be addressed in the following manner:

- ☐ An OIG Investigation will not be conducted.
- ☐ The allegations presented do not come under the investigative purview of this office.
- ☐ This correspondence contains issues that should be submitted through the unit grievance procedure.
- ☐ If you are not satisfied with your Step 1 Grievance response, you should file a Step 2 Grievance to continue the Offender Grievance procedure.
- ☒ Allegations or complaints relating to minor staff misconduct or unit issues will be forwarded to the Unit Warden.
- ☐ The TDCJ Use of Force Office automatically reviews all use of force reports. If further investigation is considered appropriate, the UOF will be referred to the OIG.
- ☐ Allegations of life endangerment will be forwarded to the Ombudsman's office.
- ☐ Polygraph examinations are not administered at offender's request.
- ☐ The correspondence received contains issues relevant to the _____; and will be forwarded there. Please send further correspondence related to this matter to the above referenced office/department.
- ☐ Other: _____

****NOTE:** Prison related issues should be directed to the appropriate TDCJ department. Sending your concerns to the wrong department or agency delays valuable response time.

- ☐ Original Documents Returned to Offender.

CC: Offender Richardson #1938366

DR/772

Robert N. Virden

To: Ombudsman
Subject: A. Richardson #01938366

Ombudsman:

I received a letter dated 05 June 2021 from inmate Richardson.

His letter said:

"I've written you several times regarding the 'forcing' of showering separate(ly).

I am waiting on my Step 2 grievance.

The ... warden admitted in my Step 1 that T.D.C.J. was 'forcing' me to shower separate(ly)... even though there was no rule or mandate in place.

He admitted that there was no rule...

(The unit administration) claims there is a need (to make me shower alone) for my safety.

PREA stipulates that T.D.C.J. shall offer the 'opportunity' to shower separate(ly). This is discretionary.

I've had to walk ... to the ... only shower that they deem separate in the rain, even snow. I've been humiliated.

They claim they can simply change the policy to suite this 'forcing.'

... I'm tired of the humiliation and degradation.

The showers in my dorm are used ... by inmates..."

I would appreciate your investigating this matter.

Robert N. Virden
Robert N. Virden, P.C.
3419 Westminster Avenue
Dallas, Texas 75205-1387
Office 214/373-7161
Mobile 214/537-2228
Facsimile 214/373-7161

*Board Certified, Estate Planning and Probate, Texas Board of Legal Specialization
Fellow, American College of Trust and Estate Counsel*



**Texas Department of Criminal Justice
OFFICE OF THE INSPECTOR GENERAL
P.O. Box 4003, Huntsville, Texas 77342**

To: RICHARDSON, DEREK Date: January 24, 2022
 Unit/Department: Prison Facility - Leblanc (Beaumont) Correspondence/Complainant #: 2200001061
 Subject: RICHARDSON, DEREK TDCJ #: 01938366

The correspondence forwarded to the Office of the Inspector General has been read and evaluated by OIG staff. Based on the information provided, the relevant issues stated will be addressed in the following manner:

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- ☐ The correspondence received contains issues relevant to the _____; and will be forwarded there. Please send further correspondence related to this matter to the above referenced office/department.
- ☐ Other: _____

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☐ Original Documents Returned to Offender.

CC:

The District Attorney does not routinely prosecute misdemeanor offenses that occur between incarcerated individuals.

AAG/755

Texas Department of Criminal Justice
Correctional Institutions Division

Inter-Office Communications

To OFFENDER

Date

3-8-22

From UNIT MAILROOM

Subject

OPENED IN ERROR

On 3/8/22, correspondence for / from

offender Derek A. Richardson TDCJ# 1938366 was placed with
general correspondence and mistakenly opened. This piece of correspondence
was from / to:

Clerk

U.S. District Court

Southern District of Texas

P.O. BOX 61010

(Houston, TX 77208)

By copy of the IOC, the mailroom is notifying the offender that the above
referenced correspondence was opened out of his presence.

M. Cervantez

Mailroom Supervisor / Clerk

[Signature]

3/14/22

Offender Signature

cc: Offender

GRIEVANCES I127-I128 FILED 3/2022 NOT RETURNED
NOTE: THIS INDICATES ONLY ONE INCIDENT -
FED. COURT MAIL DATE 3/1/22 WAS INCLUDED AND OPEN
SHOWING DELIBERATE PATTERN AND VIOLATION.

Robert N. Virden

To: Ombudsman
Subject: Derek A. Richardson #01938366

Ombudsman,

On 22 January 2022, I received a letter postmarked 19 January 2022 from inmate Richardson. His letter said:

"I have recently been transferred to the LeBlanc Unit... Joe Ney Unit shipped me and every transgender person of the unit after being inspected by ACLU and many complaints of indifference to the abuse of transpeople on various levels. (T)hey decided the unit was not suitable to house transgenders.

(O)n Friday, January 15th, I was assaulted by inmate (Henry Albert Barlow III)...

For some reason LeBlanc Unit (hasn't) filed charges.

After advances from (inmate) Barlow on various levels I told him I was uninterested and to leave me alone. He was housed in the bunk next to mine and I avoided him at all cost. Mr. Barlow continued trying to make small talk. I again thwarted his attempts by saying leave me alone. At that point he threatened me and stated he would fight me. A fellow inmate defused the situation...

Finally, Mr. Barlow made another advance on Friday, January 15th at around 11:30 a.m. I told him to leave me alone or I would report him to the PREA officer. At that point he assaulted me and began hitting me in the face and head as I sat on my bunk. I fell on the floor and tried to (shield) my face. Another inmate got him off of me. I went into the day area and tried to notify officers. Before I could get to the picket door Mr. Barlow charged the door and went first to the picket. He (told) the officer he had hit me because I (had) grabbed his crotch. He was not restrained at that time. Instead he ran into the dorm again and began punching me and knocking me to the ground. Finally the (officers) came and removed him. A formal investigation concluded that Mr. Barlow had fabricated his excuse for assaulting me...

(Too) many transpeople and elderly are being assaulted by violent offenders who have no respect or regard for others..."

I would appreciate your investigating this matter.

PS I am assisting this inmate on a pro bono publico basis. I have not agreed to represent him in any court (or other) proceeding. I am not a litigation attorney; I neither file lawsuits nor defend lawsuits.

Robert N. Virden
Robert N. Virden, P.C.
3419 Westminister Avenue
Dallas, Texas 75205-1387
Office 214/373-7161
Mobile 214/537-2228
Facsimile 214/373-7161

Board Certified, Estate Planning and Probate, Texas Board of Legal Specialization
Fellow, American College of Trust and Estate Counsel



Texas Department of Criminal Justice
OFFICE OF THE INSPECTOR GENERAL
P.O. Box 4003, Huntsville, Texas 77342

To: Warden GonzalesDate: October 6, 2020Unit/Department: Ney UnitCorrespondence/Complainant #: 2000011998Subject: Richardson, DerekTDCJ #: 1938366

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☐ Original Documents Returned to Offender.

CC: Offender Richardson #1938366

DR/772

Robert N. Virden

To: Ombudsman
Subject: [REDACTED] A. Richardson #01938366

Ombudsman:

I received a letter dated 05 June 2021 from inmate Richardson.

His letter said:

"I've written you several times regarding the 'forcing' of showering separate(ly).

I am waiting on my Step 2 grievance.

The ... warden admitted in my Step 1 that T.D.C.J. was 'forcing' me to shower separate(ly)... even though there was no rule or mandate in place.

He admitted that there was no rule...

(The unit administration) claims there is a need (to make me shower alone) for my safety.

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I would appreciate your Investigating this matter.

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Fellow, American College of Trust and Estate Counsel*



**Texas Department of Criminal Justice
OFFICE OF THE INSPECTOR GENERAL
P.O. Box 4003, Huntsville, Texas 77342**

To: RICHARDSON, DEREKDate: January 24, 2022Unit/Department: Prison Facility - Leblanc (Beaumont)Correspondence/Complainant #: 2200001061Subject: RICHARDSON, DEREKTDCJ #: 01938366

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CC:

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AAG/755

Texas Department of Criminal Justice
Correctional Institutions Division

Inter-Office Communications

To OFFENDER

Date

3-8-22

From UNIT MAILROOM

Subject OPENED IN ERROR

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offender Derek A. Richardson TDCJ# 1938366 was placed with
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Clerk

U.S. District Court

Southern District of Texas

P.O. BOX 61010

Houston, TX 77208

By copy of the IOC, the mailroom is notifying the offender that the above
referenced correspondence was opened out of his presence.

M. Cervantez

Mailroom Supervisor / Clerk

[Signature]

3/14/22

Offender Signature

cc: Offender

GRIEVANCES I 127- I 128 FILED 3/2022 NOT RETURNED
NOTE: THIS INDICATES ONLY ONE INCIDENT -
FED. COURT MAIL DATE 3/1/22 WAS INCLUDED AND OPEN
SHOWING DELIBERATE PATTERN AND VIOLATION.

allow me. Eventually after I was able to get up I tried to go to the dayroom area so I could obtain the attention of the Staff officers. Mr Barlow tried blocking me and telling me to go to the Corner so he could further assault me out of view of officers. I was able to get past Mr. Barlow and enter the dayroom. However Mr Barlow charged ahead and exited the dorm because the door was not properly secured. He began telling officers he assaulted me and claimed justification due to the fact that according to him I grabbed him in an inappropriate manner. Mr Barlow was not detained. He then ran back into the dorm and hit me again knocking me over. I fell down and covered my face again as Mr Barlow was on top of me hitting me several more times. Eventually officers arrived and separated us. I believe Mr Barlow has a propensity to be violent and that he is dangerous. He was in another altercation where he caused bodily harm a week prior w/o getting caught. I want to press charges for Aggravated Assault w/ Bodily Injury. Further more I would like this to be treated with serious consideration as a hate crime against a Transgender. Because Mr Barlow didn't get his way he felt it appropriate to assault and injure an innocent victim. A PREA investigation conducted found his claims against me to be false. Thank you for your time and consideration regarding this matter.

Sincerely Yours,

To Whom It may Concern

1-25-22

(7021 0350 0000 0690 5211) Sent By Certified Mail to:
O.I.G. Investigator @ 3060 FM. 3514, Beaumont, TX
77705

On Friday, January 14th I was assaulted By
offender Henry Albert Barlow III of the Richard P. LeBlanc
Unit. I am Derek A. Richardson, T.D.C.J. inmate
number: 1938366. I too am housed on the Richard
P. LeBlanc Unit. I am a Transgender inmate who
is diagnosed with Gender Dysphoria.

After Several advances from Offender Barlow
during the first two or three weeks he has
been placed in my dorm and Several attempts to
Ask him to leave me alone I enlisted the
help of another inmate. Mr Barlow told me if
I didnt like it I Could go to the corner of the
dorm and Fight him. I asked an associate of Mr. Barlow
to tell him that If he wouldn't leave me alone
I'd be forced to report him to the Unit P.R.E.A. officer.
Because my informal resolutions wouldn't work.

Mr. Barlow then approached me with the other
offender, housed in H-22 bottom and said "Now
tell me what you told him." As I did Mr.
Barlow began hitting me in the head and face
as I sat on my bunk. Mr. Barlow knocked me to
the floor in the process. I put my head down,
Blocking my face as he continued hitting me.
I tried to get up but Mr Barlow wouldn't



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2021119789Date Received: 06/08/21Date Due: 07/08/21Grievance Code: 400Investigator ID #: F2828Extension Date: 08/07/2021Date Retd to Offender: JUL 21 2021

Offender Name: Derek A. Richardson TDCJ # 1938366
 Unit: Joe Ney Unit Housing Assignment: 3-53
 Unit where incident occurred: Joe Ney

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Guise c/o When? 6-4-21

What was their response? That this matter would have to be grieved.

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

During the hearing for case number 20210187504. written on 5/21/21.
my due process rights were violated due to the fact that I was not afforded
the opportunity to present my witness. My witness under Statutory penalty
Should have been allowed to come and present his own version of his
eyewitness account but was not. Furthermore the hearing officer was
leading the charging officer. The charging officer officer Brooks falsified
his version of what transpired and I was not able to refute this as
allocated in due process law.

Action Requested to resolve your Complaint.

for Case number 20210187504 to be overturned due to violations of due process and Case law misconduct.

Offender Signature: Quinta Richardson

Date: 6-5-21

Grievance Response:

Disciplinary Case # 20210187504 has been reviewed. The disciplinary charges are appropriate for the offense and the guilty verdict was supported by a preponderance of the evidence. All due process requirements were satisfied, and the punishment imposed by the Disciplinary Hearing Officer was within agency guidelines. Your appeal is denied.

Kevin Belt, Senior Warden, Joe Ney Unit

Signature Authority: Kevin Belt

Date: 7-20-21

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



H-346
Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

Offender Name: Richardson D.A. TDCJ # 1938366
Unit: Joe New Housing Assignment: 3-53
Unit where incident occurred: Joe New

OFFICE USE ONLY

Grievance #: 202119789
UGI Recd Date: 7-26
HQ Recd Date: JUL 29 2021
Date Due: 8-25
Grievance Code: 400
Investigator ID#: 2846
Extension Date: 9-24-2021

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.


Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

The hearing officer clearly denied me the ability to present a witness. This is supported on a recording that is kept and required by law. For me to be denied or afforded the opportunity to present a witness in court is in fact a violation of my right to due process. I ask for further review of Case # 20210187504. I am forwarding this information to my attorney also.

Offender Signature: Date: 7-22-21

Grievance Response:

Disciplinary case #20210187504 has been reviewed. There was sufficient evidence to support the finding of guilt, no due process or procedural errors were noted, the punishment imposed was within the established guidelines, and the elements of the charge were met. Therefore, there is no valid reason to warrant overturning this disciplinary case. No further action is warranted.

Signature Authority:  J. RILEYDate: 11/2/2021Returned because: **Resubmit this form when corrections are made*

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.*
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments.*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission** CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 202101833

Date Received: _____

Date Due: _____

Grievance Code: _____

Investigator ID #: I2766

Extension Date: _____

Date Retd to Offender: _____

Offender Name: Richardson TDCJ # 1938366Unit: Joe Ney Housing Assignment: 9-53Unit where incident occurred: Joe Ney

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Lardick APR 27 2021 When? Sunday 4-26-21What was their response? that I would need to grieve the issueWhat action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I have had an issue with Showers that has been ongoing since I arrived at Joe Ney's unit. We filed grievances for various reasons. We had an attorney contact the Warden on two occasions requesting justification for "forcing" me to Shower in ad Seg. Even though P.R.E.A. Act of 2003 only asks for T.D.C.J. to offer the "Opportunity" to Shower Separate leaving the opportunity to be at my discretion. The Warden Never responded unit warden Belt agreed in a prior grievance response that it was not a rule. However Mr Belt stated that I would be forced in his response. I am awaiting a Step 2 answer on that. My current grievance is that there are four T-gender inmates on this unit. I am being profiled because I am on hormone therapy and display the characteristic traits of a feminine Transgender. Because of that I and another are "forced" to Shower Separate. The other two are not and haven't been (inmate Jeremy Howard and Jerry Guerra) And they haven't been during this entire grievance with "forced" Showers. Joe Ney is aware of this because it is notated in the inmate Shower log book. I was told that Huntsville ordered that T-gender inmates be forced to Shower Separate. But Joe Ney has chosen to violate my State and Constitutional rights to profile me and Segregate me. This is the beginning Step toward justification. I wish to Shower at my own volition in general population Showers. This is

APR 27 2021
(OVER)

discrimination and will be revealed as such MAY 27 2021
APR

CC1

Action Requested to resolve your Complaint.

For me to be treated fairly and equally and
afforded the opportunity to Shower where I chose MAY 27 2021
APR

Offender Signature: Richardson

Date: 4-26-21

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response.
State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

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- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☒ 9. Redundant, Refer to grievance # 2021067754 @ step 2 currently
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature:

B. Thacker

Application of the screening criteria for this grievance is not expected to adversely
Affect the offender's health.

Medical Signature Authority:

Rachel Romines PM
RACHEL ROMINES PM

I-127 Back (Revised 11-2010)

5-321

OFFICE USE ONLY BT

Initial Submission

UGI Initials:

Grievance #: 202101833

Screening Criteria Used: #09 #899

Date Recd from Offender: APR MAY 27 2021

Date Returned to Offender: APR MAY 27 2021

2nd Submission

UGI Initials:

Grievance #:

Screening Criteria Used:

Date Recd from Offender:

Date Returned to Offender:

3rd Submission

UGI Initials:

Grievance #:

Screening Criteria Used:

Date Recd from Offender:

Date Returned to Offender:



Texas Department of Criminal Justice

STEP 1

OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2210007
 Date Received: 10/07/2020
 Date Due: _____
 Grievance Code: 201
 Investigator ID #: FE
 Extension Date: _____
 Date Retd to Offender: _____

Offender Name: Derek A. Richardson TDCJ # 1938366
 Unit: Common Joe New Housing Assignment: 1-53
 Unit where incident occurred: Joe New

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Rosales 1 OCT 07 2020 When? 10-1-20

What was their response? That I would need to use the grievance process 1 OCT 07 2020

What action was taken? None 1 OCT 07 2020

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On Monday, September 28th Sgt Cheng had me removed from my duties as a Janitorial Custodian in medical. I had a good working record and performed well. I was removed because I am Transgender and Mr Cheng said I would manipulate the system to get medical passes. All of my medical passes were from a previous unit. They were taken, changed and returned written by the same medical staff. The same staff member who was unqualified to write the first one was allowed to write the second as long as items were omitted. This is the first time I've ever worked medical. I was locked down on my previous unit for COVID. All passes were written at the medical staff's own volition. There was no investigation, no one consulted my Transgender Dr. Dr Dozier. I was simply removed from my duties based on assumption and discrimination. It is not Security's job to treat, diagnose, or amend medical orders. This directly violates the Eighth amendment. By taking my job on this basis Sgt Cheng violated P.R.E.A. and Constitutional Rights. Such violations can be considered a precursor to further retaliatory acts. I was also told by Mr. Cheng that I was only using my transgender role to manipulate the system. I am clinically diagnosed with gender dysphoria. I have been on hormone therapy for years. I came to T.D.C.J. and this unit this way. Under the equal protection of the law act the section pertaining to homosexual rights denies such discrimination 733 F. Supp. at 231-32 (citing Powers v. Hardwick, 478 U.S. 186, 106 S. Ct. 2241 (1986)) Also see Texas, 539 U.S. 552, 577-78, 123 S. Ct. 2472 (2003) Also where a gay prisoner was fired from his job because of his sexual orientation. Doe v. Sparks, 733 F. Supp. 227, 231, 233-34 (W.D. Pa. 1990) the Powers vs Hardwick ruling changed the law. in (2003) OCT 07 2020

OCT 07 2020

Action Requested to resolve your Complaint.

For any retaliation or harrassmen to me

as transgender to stop.

Offender Signature:

[Signature]

Date:

10-6-20

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☒ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

JGI Printed Name/Signature:

B. Thacker *[Signature]* AH. UGE

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

OFFICE USE ONLY

Initial Submission

UGI Initials: BT

Grievance #:

2021016007

Screening Criteria Used:

#2 299

Date Recd from Offender:

OCT 07 2020

Date Returned to Offender:

OCT 07 2020

2nd Submission

UGI Initials:

Grievance #:

Screening Criteria Used:

Date Recd from Offender:

Date Returned to Offender:

3rd Submission

UGI Initials:

Grievance #:

Screening Criteria Used:

Date Recd from Offender:

Date Returned to Offender:



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2020170927

Date Received: 8-28-20

Date Due: 10-7-20

Grievance Code: 209

Investigator ID #: I2766

Extension Date:

Date Retd to Offender: SEP 25 2020

Offender Name: Derek Allen Richardson TDCJ # 1938366

Unit: Cotulla Housing Assignment: W-12-B

Unit where incident occurred: Cotulla HF B-1-53

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Major Morales (unit Major) When? 8-26 10:01 am

What was their response? He recommended that I be classified in safe keeping against my will

What action was taken? A request was filed to Huntsville for unit transfer against my will

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I have been recommended to safe keeping/unit transfer against my will. I do not desire to be housed in any form of segregation. My safety is not, nor has been jeopardized in any kind of way. I'm currently housed in administrative segregation pending safe keeping. I have been told I am too feminine. I've been told that my safety has been compromised due to my gender. I am a "Transgender" inmate who is clinically diagnosed with "gender dysphoria". It is against Texas State Law and a violation of T.D.C.J. Policy to restrict my housing based on my Sexual Orientation. Section 115.31 Employee Training states that the agency shall train all employees who have contact with inmates on a zero tolerance policy for inmate rights to be free from any form of sexual harassment. Section 42 U.S.C. 15601e (2)(M) Certifies that certain standards reference sexual harassment in order to combat what may be a prelude to sexual abuse. This includes demeaning comments to gender on pg. 21-22. To be recommended or even housed in safe keeping or any form of restrictive housing based on gender or sexual orientation is discrimination against me in its purest form. This is wrong and highly inappropriate. Especially in doing so against my will with no threat to my safety or well being. Security is not convenient. If you try to pass an inmate on because it is inconvenient that too is inappropriate. If this matter cannot be resolved through the appeals process I will file a formal lawsuit against T.D.C.J. for Discrimination, violation of State Law and or Sexual Harassment.

Action Requested to resolve your Complaint.

*For Classification to deny transfer and Safe Keeping.
For Classification to remain my Custody to Current Unit.*

Offender Signature: *Walter Richardson*

Date: *8-26-20*

Grievance Response:

Your claim has been investigated. Your recommendation for Safe Keeping was denied by State Classification and as of 9-10-20 you were transferred to the HF Unit. No further action is warranted from this office

J. Cirone, Asst. Warden

Signature Authority: *[Signature]*

Date: *8/25/20*

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

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- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

H-34B

Offender Name: Richardson David A TDCJ # 1437366
 Unit: LeBlanc Housing Assignment: H-34-B
 Unit where incident occurred: LeBlanc Unit

OFFICE USE ONLY

Grievance #: 2022054869
 Date Received: JAN 21 2022
 Date Due: 3-2-22
 Grievance Code: 000
 Investigator ID #: 2619
 Extension Date: _____
 Date Retd to Offender: JAN 25 2022

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Warden A. Tompkins When? 1-19-22

What was their response? That I would need to talk to OIG

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On Friday January the 14th I was assaulted by inmate: Henry Albert Barton. I was sitting at my bunk when he began hitting me. He then left the dorm and told me he liked he had hit me. Mr. Phillips came back in and hit me some more. He knocked me down. This was witnessed by the officers. There were several witness statements filed by MPREA. as well I believe this to be a hate crime because I am a transgender. I want to press charges against Mr. Phillips with the Telferson County Sheriff's Department. I wrote OIG officer Whittins and D-68 that had not received notice of how talked to. I want to press charges for Aggravated Assault. I wrote on D-68 on the 17th of Jan to the unit OIG officer Rollins.

Action Requested to resolve your Complaint.

I want to press charges against Henry Albert Barlow for
 assaulting me and causing bodily injury

Offender Signature: [Signature]Date: 1-20-22

Grievance Response:

An Inmate Protection Investigation was conducted on the date of the incident. You were then reviewed by the Unit Classification Committee and their decision was to grant a housing change. If you wish to contact the Office of the Inspector General you may do so in writing at O.I.G. Investigator- 3060 FM 3514, Beaumont, Texas 77705. No further action from this office is warranted.

Warden R. Chambers

Signature Authority: [Signature]Date: 1-25-22

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

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- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

EXHIBITS

DEREK A. RICHARDSON

PLAINTIFF, PRO SE.

V.

ET AL'S

- 1) I-127 #2021119789
- 2) I-128 #2021119789
- 3) I-127 #2021067754 MISSING FROM PROPERTY
- 4) I-128 #2021067754 NEVER RETURNED REF# #2021101833/I-128
- 5) I-127 #2021016007 ~~STATEDEREDUNDANTREF~~
- 6) I-127 #2021016007 RETURNED UNANSWERED
- 7) I-127 #2020170922

ADDITIONAL I-127/28 HAVE BEEN REMOVED FROM MY PROPERTY WITHOUT MY CONSENT OF ADVANCE KNOWLEDGE BY T.D.C.J. STAFF.

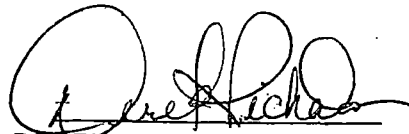
8) OCT.-6-2021 OIG COMPLAINT OF MISTREATMENT AND ABUSE BY THE T.D.C.J. STAFF AND T.D.C.J. INMATES, NOT INVESTIGATED

9) JUNE 5-2021 REQUESTED OBUDESMAN COMPLAINT INITIATED BY ATTORNEY R.N. VIRDEN ON MY BEHALF, INAPPROPRIATE MOLLICIOUS CONDUCT BY T.D. C.J. STAFF.

10) 1-18-2021 REQUESTED CHARGES, NOT FILED, FOR ASSAULT W/BODILY INJURY TO PLAINTIFF ON THE RICHARD P. LEBLANC UNIT TO BE FILED.

I DEREK A. RICHARDSON, PLAINTIFF DO ATTEST THE EXHIBITS AND DOCUMENTS FILED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND INFORMATION GIVEN CORRECT.

EXECUTED THIS 10TH DAY OF MAY 2022



DEREK A. RICHARDSON
PLAINTIFF PRO-SE



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2021119789

Date Received: 06/08/21

Date Due: 07/08/21

Grievance Code: 400

Investigator ID #: F2828

Extension Date: 08/07/2021

Date Retd to Offender: JUL 21 2021

Offender Name: Derek A. Richardson TDCJ # 1938366
 Unit: Joe Ney Unit Housing Assignment: 3-53
 Unit where incident occurred: Joe Ney

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Guise c/o When? 6-4-21

What was their response? That this matter would have to be grieved.

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

During the hearing for case number 20210187504. written on 5/21/21.
my due process rights were violated due to the fact that I was not afforded
the opportunity to present my witness. My witness under Statutory penalty
Should have been allowed to come and present his own version of his
eyewitness account but was not. Furthermore the hearing officer was
leading the charging officer. The charging officer officer Brooks falsified
his version of what transpired and I was not able to refute this as
allocated in due process law.

Action Requested to resolve your Complaint. for Case number 20210187504 to be overturned due to violations of due process and Case law misconduct.

Offender Signature: Quita Richardson Date: 6-5-21

Grievance Response:

Disciplinary Case # 20210187504 has been reviewed. The disciplinary charges are appropriate for the offense and the guilty verdict was supported by a preponderance of the evidence. All due process requirements were satisfied, and the punishment imposed by the Disciplinary Hearing Officer was within agency guidelines. Your appeal is denied.

Kevin Belt, Senior Warden, Joe Ney Unit

Signature Authority: Kevin Belt Date: 7-20-21
If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____
Grievance #: _____
Screening Criteria Used: _____
Date Recd from Offender: _____
Date Returned to Offender: _____
2nd Submission UGI Initials: _____
Grievance #: _____
Screening Criteria Used: _____
Date Recd from Offender: _____
Date Returned to Offender: _____
3rd Submission UGI Initials: _____
Grievance #: _____
Screening Criteria Used: _____
Date Recd from Offender: _____
Date Returned to Offender: _____



H-346
Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

Offender Name: Richardson D.A. TDCJ # 1938366
Unit: be New Housing Assignment: 3-53
Unit where incident occurred: Joe New

OFFICE USE ONLY

Grievance #: 202119789
UGI Recd Date: 7-26
HQ Recd Date: JUL 29 2021
Date Due: 8-25
Grievance Code: 400
Investigator ID#: 2846
Extension Date: 9-24-2021

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

The hearing officer clearly denied me the ability to present a witness. This is supported on a recording that is kept and required by law. For me to be denied or afforded the opportunity to present a witness in court is in fact a violation of my right to due process. I ask for further review of Case # 20210187504. I am forwarding this information to my attorney also.

Offender Signature: Date: 7-22-21

Grievance Response:

Disciplinary case #20210187504 has been reviewed. There was sufficient evidence to support the finding of guilt, no due process or procedural errors were noted, the punishment imposed was within the established guidelines, and the elements of the charge were met. Therefore, there is no valid reason to warrant overturning this disciplinary case. No further action is warranted.

Signature Authority: 

J. RILEY

Date: 11/2/2021Returned because: **Resubmit this form when corrections are made*

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.*
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments.*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 202101833

Date Received: _____

Date Due: _____

Grievance Code: _____

Investigator ID #: 12766

Extension Date: _____

Date Retd to Offender: _____

Offender Name: Richardson TDCJ # 1938366Unit: Joe Ney Housing Assignment: 3-53Unit where incident occurred: Joe Ney

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Landers APR 27 2021When? Sunday 4-26-21What was their response? that I would need to grieve the issueWhat action was taken? none

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I have had an issue with Showers that has been ongoing since I arrived at Joe Ney's unit. I've filed grievances for various reasons. I've had an attorney contact the Warden on two occasions requesting justification for "forcing" me to shower in ad seg. Even though P.R.E.A. Act of 2003 only asks for T.D.C.J. to offer the "Opportunity" to Shower Separate leaving the opportunity to be at my discretion. The Warden never responded. Unit Warden Belt agreed in a prior grievance response that it was not a rule. However Mr Belt stated that I would be forced in his response. I am awaiting a Step 2 answer on that. My current grievance is that there are four T-gender inmates on this unit. I am being profiled because I am on hormone therapy and display the characteristic traits of a feminine Transgender. Because of that I and another are "forced" to Shower Separate. The other two are not and haven't been (inmate Jeremy Howard and Jerry Guerra) And they haven't been during this entire grievance with "forced" Shower. Joe Ney is aware of this because it is notated in the inmate shower log book. I was told that Huntsville ordered that T-gender inmates be forced to Shower Separate. But Joe Ney has chosen to violate my State and Constitutional rights to profile me and segregate me. This is the beginning Step toward justification. I wish to Shower at my own volition in general population Showers. This is

APR 27 2021
(OVER)

discrimination and will be revealed as such MAY 27 2021
ARK

CCI

Action Requested to resolve your Complaint. For me to be treated fairly and equally and
afforded the opportunity to Shower where I chose MAY 27 2021Offender Signature: RichardsonDate: 4-26-21

Grievance Response:

Signature Authority: _____

Date: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (1-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response.
State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

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- ☐ 3. Originals not submitted. *
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- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☒ 9. Redundant, Refer to grievance # 2021067754 @ Step 2
currently
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: B. ThackerApplication of the screening criteria for this grievance is not expected to adversely
affect the offender's health.Medical Signature Authority: Rachel Romine, PM

-127 Back (Revised 11-2010)

RACHEL ROMINE, PM

5-321

OFFICE USE ONLY

Initial Submission UGI Initials: BT

Grievance #: 202110/833

Screening Criteria Used: #09 #899

Date Recd from Offender: APR MAY 27 2021

Date Returned to Offender: APR MAY 27 2021

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1

OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2016007
 Date Received: 10/07/2020
 Date Due: _____
 Grievance Code: 201
 Investigator ID #: FE
 Extension Date: _____
 Date Retd to Offender: _____

Offender Name: Derek A. Richardson TDCJ # 1938366
 Unit: Common Joe New Housing Assignment: 1-53
 Unit where incident occurred: Joe New

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer Rosales ^{1 OCT 07 2020} When? 10-1-20

What was their response? That I would need to use the grievance process ^{1 OCT 07 2020}

What action was taken? None. ^{3 OCT 07 2020}

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

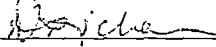
On Monday, September 28th Sgt Chong had me removed from my duties as a Janitorial Custodian in medical. I had a good working record and performed well. I was removed because I am Transgender and Mr Chong said I would manipulate the system to get medical passes. All of my medical passes were from a previous unit. They were taken, changed and returned written by the same medical staff. The same staff member who was unqualified to write the first one was allowed to write the second as long as items were omitted. This is the first time I've ever worked medical. I was locked down on my previous unit for COVID. All passes were written at the medical staff's own volition. There was no investigation, no one consulted my Transgender Dr. Dr Dozier. I was simply removed from my duties based on assumption and discrimination. It is not Security's job to treat, diagnose, or amend medical orders. This directly violates the Eighth amendment. By taking my job on this basis Sgt Chong violated P.R.E.A. and Constitutional Rights. Such violations can be considered a precursor to further retaliatory acts. I was also told by Mr. Chong that I was only using my transgender role to manipulate the system. I am clinically diagnosed with gender dysphoria. I have been on hormone therapy for years. I came to T.D.C.J. and this unit this way. Under the equal protection of the law and the section pertaining to homosexual rights denies such discrimination 733 F. Supp. at 231-32 (citing Powers v. Hardwick, 478 U.S. 186, 106 S. Ct. 2841 (1986)) Also see Texas, 539 U.S. 552, 577-78, 123 S. Ct. 2472 (2003) Also where a gay prisoner was fired from his job because of his sexual orientation. Doe v. Sparks, 733 F. Supp. 227, 231, 233-34 (W. D. Pa. 1990) the Bowers vs Hardwick ruling changed the law. in (2003) OCT 07 2020

OCT 07 2020

Action Requested to resolve your Complaint.

For any retaliation or harrassmen to me
as transgender to stop.

Offender Signature:



Date:

10-6-20

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (1-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

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- ☐ 4. Inappropriate/Excessive attachments. *
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- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

JGI Printed Name/Signature:

B. Thacker AH.
UCI

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

OFFICE USE ONLY

Initial Submission

UGI Initials: BT

Grievance #: 2021016007

Screening Criteria Used: #2 299

Date Recd from Offender: OCT 07 2020

Date Returned to Offender: OCT 07 2020

2nd Submission

UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission

UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2020170927

Date Received: 8-28-20

Date Due: 10-7-20

Grievance Code: 209

Investigator ID #: I2766

Extension Date:

Date Retd to Offender: SEP 25 2020

Offender Name: Derek Allen Richardson TDCJ # 1938366

Unit: Cotulla Housing Assignment: W-12-B

Unit where incident occurred: Cotulla HF B-1-53

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Major Morales (Unit Major) When? 8-26 10:01 am

What was their response? He recommended that I be classified in safe keeping against my will

What action was taken? A request was filed to Huntsville for Unit Transfer against my will

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I have been recommended to safe keeping / unit transfer against my will. I do not desire to be housed in any form of segregation. My safety is not, nor has been jeopardized in any kind of way. I'm currently housed in administrative segregation pending safe keeping. I have been told I am too feminine. I've been told that my safety has been compromised due to my gender. I am a "Transgender" inmate who is clinically diagnosed with "gender dysphoria". It is against Texas State Law and a violation of T.D.C.J. policy to restrict my housing based on my Sexual Orientation. Section 11.5.31 Employee Training states that the agency shall train all employees who have contact with inmates on its zero tolerance policy for inmate right to be free from any form of sexual harassment. Section 42 U.S.C. 15106 (e) (2)(M) certifies that certain standards reference sexual harassment in order to combat what may be a precursor to sexual abuse. This includes demeaning comments to gender on Pg. 21-22. To be recommended or even housed in safe keeping or any form of restrictive housing based on gender or sexual orientation is discrimination against me in its purest form. This is wrong and highly inappropriate. Especially in doing so against my will with no threat to my safety or well being. Security is not convenient. If you try to pass an inmate on because it is inconvenient that too is inappropriate. If this matter cannot be resolved through the appeals process I will file a formal lawsuit against T.D.C.J. for Discrimination, Violation of State Law and or Sexual Harassment.

Action Requested to resolve your Complaint.

*For Classification to deny transfer and Safe Keeping.
For Classification to remain my Custody to Current Unit.*

Offender Signature: *Duke Richardson*

Date: *8-26-20*

Grievance Response:

Your claim has been investigated. Your recommendation for Safe Keeping was denied by State Classification and as of 9-10-20 you were transferred to the HF Unit. No further action is warranted from this office

J. Cirone, Asst. Warden

Signature Authority: *[Signature]*

Date: *8/25/20*

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

H-34B

Offender Name: Richardson Mark A TDCJ # 1437366
 Unit: LeBlanc Housing Assignment: H-34-B
 Unit where incident occurred: LeBlanc Unit

OFFICE USE ONLY

Grievance #: 2022054869
 Date Received: JAN 21 2022
 Date Due: 3-2-22
 Grievance Code: 000
 Investigator ID #: 2619
 Extension Date: _____
 Date Retd to Offender: JAN 25 2022

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Warden A. Tompkins When? 1-19-22

What was their response? That I would need to talk to OIG

What action was taken? None

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On Friday January the 14th I was assaulted by inmate: Henry Albert Barlow. I was sitting at my bunk when he began hitting me. He then left the dorm and told the guards he had hit me. Mr. Barlow came back in and hit me some more. He knocked me down. This was witnessed by the guards. There were several witness statements filed by M.P.R.F.A. as well I believe this to be a hate crime because I am a Transgender. I want to press charges against Mr. Barlow with the Jefferson County Sheriff's Department. I wrote OIG twice Whittins and D-68 that had not received notice or been talked to. I want to press charges for Aggravated Assault. I wrote on D-68 on the 17th of Jan to the unit OIG Officer Rollins.

Action Requested to resolve your Complaint.

I want to press charges against Henry Albert Barlow for
 assaulting me and causing bodily injury

Offender Signature: [Signature]

Date: 1-20-22

Grievance Response:

An Inmate Protection Investigation was conducted on the date of the incident. You were then reviewed by the Unit Classification Committee and their decision was to grant a housing change. If you wish to contact the Office of the Inspector General you may do so in writing at O.I.G. Investigator- 3060 FM 3514, Beaumont, Texas 77705. No further action from this office is warranted.

Warden R. Chambers

Signature Authority: [Signature]

Date: 1-25-22

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
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- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

to O.I.G. Beaumont TX.

To Whom It May Concern

1-25-22

(7021 0350 0000 0690 5211) Sent By Certified Mail to:
O.I.G. Investigator @ 3060 FM. 3514, Beaumont, TX.
77705

On Friday, January 14th I was assaulted By offender Henry Albert Barlow # of the Richard P. LeBlanc Unit. I am Derek A. Richardson, T.D.C.J. inmate number: 1938366. I too am housed on the Richard P. LeBlanc Unit. I am a Transgender inmate who is diagnosed with Gender Dysphoria.

After Several advances from Offender Barlow during the first two or three weeks he has been placed in my dorm and Several attempts to Ask him to leave me alone I enlisted the help of another inmate. Mr Barlow told me if I didnt like it I Could go to the corner of the dorm and Fight him. I asked an associate of Mr. Barlow to tell him that If he wouldn't leave me alone I'd be forced to report him to the Unit P.R.E.A. officer because my informal resolutions wouldn't work.

Mr. Barlow then approached me with the other offender, housed in H-22 bottom and Said "Now Tell me what you told him." As I did Mr. Barlow began hitting me in the head and face as I sat on my bunk. Mr. Barlow knocked me to the floor in the process. I put my head down, Blocking my face as he continued hitting me. I tried to get up but Mr Barlow wouldn't

allow me. Eventually after I was able to get up I tried to go to the dayroom area so I could obtain the attention of the Staff officers. Mr Barlow tried blocking me and telling me to go to the Corner so he could further assault me out of view of officers. I was able to get past Mr. Barlow and enter the dayroom. However Mr Barlow charged ahead and exited the dorm because the door was not properly secured. He began telling officers he assaulted me and claimed justification due to the fact that according to him I grabbed him in an inappropriate manner. Mr Barlow was not detained. He then ran back into the dorm and hit me again knocking me over. I fell down and covered my face again as Mr Barlow was on top of me hitting me several more times. Eventually officers arrived and separated us. I believe Mr Barlow has a propensity to be violent and that he is dangerous. He was in another altercation where he caused bodily harm a week prior w/o getting caught. I want to press charges for Aggravated Assault w/ Bodily Injury. Further more I would like this to be treated with serious consideration as a hate crime against a Transgender. Because Mr Barlow didn't get his way he felt it appropriate to assault and injure an innocent victim. A PREA investigation conducted found his claims against me to be false. Thank you for your time and consideration regarding this matter.

Sincerely Yours,

Robert N. Virden

To: Ombudsman
Subject: Derek A. Richardson #01938366

Ombudsman,

On 22 January 2022, I received a letter postmarked 19 January 2022 from inmate Richardson. His letter said:

"I have recently been transferred to the LeBlanc Unit... Joe Ney Unit shipped me and every transgender person of the unit after being inspected by ACLU and many complaints of indifference to the abuse of transpeople on various levels. (T)hey decided the unit was not suitable to house transgenders.

(O)n Friday, January 15th, I was assaulted by inmate (Henry Albert Barlow III)...

For some reason LeBlanc Unit (hasn't) filed charges.

After advances from (inmate) Barlow on various levels I told him I was uninterested and to leave me alone. He was housed in the bunk next to mine and I avoided him at all cost. Mr. Barlow continued trying to make small talk. I again thwarted his attempts by saying leave me alone. At that point he threatened me and stated he would fight me. A fellow inmate defused the situation...

Finally, Mr. Barlow made another advance on Friday, January 15th at around 11:30 a.m. I told him to leave me alone or I would report him to the PREA officer. At that point he assaulted me and began hitting me in the face and head as I sat on my bunk. I fell on the floor and tried to (shield) my face. Another inmate got him off of me. I went into the day area and tried to notify officers. Before I could get to the picket door Mr. Barlow charged the door and went first to the picket. He (told) the officer he had hit me because I (had) grabbed his crotch. He was not restrained at that time. Instead he ran into the dorm again and began punching me and knocking me to the ground. Finally the (officers) came and removed him. A formal investigation concluded that Mr. Barlow had fabricated his excuse for assaulting me...

(Too) many transpeople and elderly are being assaulted by violent offenders who have no respect or regard for others..."

I would appreciate your investigating this matter.

PS I am assisting this inmate on a pro bono publico basis. I have not agreed to represent him in any court (or other) proceeding. I am not a litigation attorney; I neither file lawsuits nor defend lawsuits.

Robert N. Virden
Robert N. Virden, P.C.
3419 Westminister Avenue
Dallas, Texas 75205-1387
Office 214/373-7161
Mobile 214/537-2228
Facsimile 214/373-7161

Board Certified, Estate Planning and Probate, Texas Board of Legal Specialization
Fellow, American College of Trust and Estate Counsel

Robert N. Virden

To: Ombudsman
Subject: [REDACTED] A. Richardson #01938366

Ombudsman:

I received a letter dated 05 June 2021 from inmate Richardson.

His letter said:

"I've written you several times regarding the 'forcing' of showering separate(ly).

I am waiting on my Step 2 grievance.

The ... warden admitted in my Step 1 that T.D.C.J. was 'forcing' me to shower separate(ly) ... even though there was no rule or mandate in place.

He admitted that there was no rule...

(The unit administration) claims there is a need (to make me shower alone) for my safety.

PREA stipulates that T.D.C.J. shall offer the 'opportunity' to shower separate(ly). This is discretionary.

I've had to walk ... to the ... only shower that they deem separate in the rain, even snow. I've been humiliated.

They claim they can simply change the policy to suite this 'forcing.'

... I'm tired of the humiliation and degradation.

The showers in my dorm are used ... by inmates..."

I would appreciate your Investigating this matter.

Robert N. Virden
Robert N. Virden, P.C.
3419 Westminster Avenue
Dallas, Texas 75205-1387
Office 214/373-7161
Mobile 214/537-2228
Facsimile 214/373-7161

Board Certified, Estate Planning and Probate, Texas Board of Legal Specialization
Fellow, American College of Trust and Estate Counsel



Texas Department of Criminal Justice
OFFICE OF THE INSPECTOR GENERAL
P.O. Box 4003, Huntsville, Texas 77342

To: RICHARDSON, DEREKDate: January 24, 2022Unit/Department: Prison Facility - Leblanc (Beaumont)Correspondence/Complainant #: 2200001061Subject: RICHARDSON, DEREKTDCJ #: 01938366

The correspondence forwarded to the Office of the Inspector General has been read and evaluated by OIG staff. Based on the information provided, the relevant issues stated will be addressed in the following manner:

- ☒ An OIG investigation will not be conducted.
- ☐ The allegations presented do not come under the investigative purview of this office.
- ☐ This correspondence contains issues that should be submitted through the unit grievance procedure.
- ☐ If you are not satisfied with your Step 1 Grievance response, you should file a Step 2 Grievance to continue the Offender Grievance procedure.
- ☐ Allegations or complaints relating to minor staff misconduct or unit issues will be forwarded to the Unit Warden.
- ☐ The TDCJ Use of Force Office automatically reviews all use of force reports. If further investigation is considered appropriate, the UOF will be referred to the OIG.
- ☐ Allegations of life endangerment will be forwarded to the Ombudsman's office.
- ☐ Polygraph examinations are not administered at offender's request.
- ☐ The correspondence received contains issues relevant to the _____; and will be forwarded there. Please send further correspondence related to this matter to the above referenced office/department.
- ☐ Other: _____

****NOTE:** Prison related issues should be directed to the appropriate TDCJ department. Sending your concerns to the wrong department or agency delays valuable response time.

☐ Original Documents Returned to Offender.

CC:

The District Attorney does not routinely prosecute misdemeanor offenses that occur between incarcerated individuals.

AAG/755



**Texas Department of Criminal Justice
OFFICE OF THE INSPECTOR GENERAL
P.O. Box 4003, Huntsville, Texas 77342**

To: Warden Gonzales Date: October 6, 2020
 Unit/Department: Ney Unit Correspondence/Complainant #: 2000011998
 Subject: Richardson, Derek TDCJ #: 1938366

The correspondence forwarded to the Office of the Inspector General has been read and evaluated by OIG staff. Based on the information provided, the relevant issues stated will be addressed in the following manner:

- ☐ An OIG Investigation will not be conducted.
- ☐ The allegations presented do not come under the investigative purview of this office.
- ☐ This correspondence contains issues that should be submitted through the unit grievance procedure.
- ☐ If you are not satisfied with your Step 1 Grievance response, you should file a Step 2 Grievance to continue the Offender Grievance procedure.
- ☒ Allegations or complaints relating to minor staff misconduct or unit issues will be forwarded to the Unit Warden.
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- ☐ Allegations of life endangerment will be forwarded to the Ombudsman's office.
- ☐ Polygraph examinations are not administered at offender's request.
- ☐ The correspondence received contains issues relevant to the _____; and will be forwarded there. Please send further correspondence related to this matter to the above referenced office/department.
- ☐ Other: _____

****NOTE:** Prison related issues should be directed to the appropriate TDCJ department. Sending your concerns to the wrong department or agency delays valuable response time.

- ☐ Original Documents Returned to Offender.

CC: Offender Richardson #1938366

DR/772

Texas Department of Criminal Justice
Correctional Institutions Division

Inter-Office Communications

To OFFENDER

Date

3-8-22

From UNIT MAILROOM

Subject

OPENED IN ERROR

On 3/8/22, correspondence for / from,

offender Derek A. Richardson TDCJ# 19383166 was placed with
general correspondence and mistakenly opened. This piece of correspondence
was from / to:

Clerk

U.S. District Court

Southern District of Texas

P.O. BOX 1010

Houston, TX 77208

By copy of the IOC, the mailroom is notifying the offender that the above
referenced correspondence was opened out of his presence.

M. Cervantez

Mailroom Supervisor / Clerk



3/14/22

Offender Signature

cc: Offender

GRIEVANCES I 127- I 128 FILED 3/2022 NOT RETURNED
NOTE: THIS INDICATES ONLY ONE INCIDENT -
FED. COURT MAIL DATE 3/1/22 WAS INCLUDED AND OPEN
SHOWING DELIBERATE PATTERN AND VIOLATION.